

**IVINS  
CITY COUNCIL  
MINUTES  
May 19, 2016**

**1) WELCOME AND CALL TO ORDER**

**MAYOR AND COUNCIL:** The meeting was called to order at 5:30 p.m. and announced there was a quorum present.

All present included Mayor Hart, Council Member Mehr, Council Member McDonald, Council Member Johnson, Council Member Roberts, and Council Member Densley.

**STAFF:** City Manager/Attorney Dale Coulam, Building and Zoning Administrator Kevin Rudd, Finance Director Wally Ritchie, Public Works Director/Engineer Chuck Gillette, and City Recorder Kari Jimenez.

**Audience Attending:** Tim Anderson, Brad Osborn, Delores Osborn, Brittany Hollinshead, as well as others who did not sign in.

**EXCUSED:** None.

A. Acknowledgement of Quorum

Council Member Dennis Mehr was not present. He arrived at 5:34 pm.

B. Flag Salute--**Council Member Densley**

C. Invocation--**Council Member Densley**

D. Disclosures--None

**2) REPORTS, PRESENTATIONS AND APPOINTMENTS**

A. Introduction of the 2016 Ivins Princess Pageant Royalty, new pageant director and Mrs. Ivins  
Miss Ivins 2016 Emma Fisher; First Attendant and Miss Spirit Sarah Hatch; 2nd Attendant Alena Eves; Miss Congeniality Samantha Proffit. Emma Fisher stated that she has lived in Ivins for 2 years and is the daughter of Jeff and Kristi Fisher. She recently graduated from Success Academy at Dixie State University and she graduates from Snow Canyon High School next week; Sarah Hatch stated that she is the daughter of Quinn and Anita Hatch and she was born here. She is a student at Snow Canyon High School going into 11th grade; Alena Eves stated that she is in her Freshman year at Tuacahn High School and the daughter of Tara and John Eves. They just moved here last year; Samantha Proffit stated that she is the daughter of Robert and Peggy Proffit. She has lived here her entire life and just finished 10th grade. **Mayor Hart** invited Tonya Horlacher forward and spoke on behalf of the City that he was extremely grateful for her help; and Lisa Svedin, mother of past Miss Ivins, came forward and volunteered to take over the task of organizing the pageant. **Mayor Hart** stated this was a scholarship pageant, these girls represent and reflect on Ivins City and that we couldn't be prouder. Mayor Hart and the City Council thanked them.

B. Shadow Canyons Concept Plan report

**Kevin Rudd** stated that the final plat was never recorded and the owners have decided that now is a good time to proceed. It is located on Main Street and approximately 500 South. The curb, gutter, road base, sewer, and water underground were all put in originally. TRC has reviewed this. This subdivision was an SEO because of the increased open space. It is consistent and it complies with the ordinances. Planning Commission saw the Preliminary Plan at the last meeting and City Council will see that at the next City Council meeting.

C. Department Reports: Building Department; Public Works/Engineering; Finance

**Kevin Rudd** reported that the Tuscan Grove subdivision may be starting back up again. We will wait until we receive an application from them. He provided a building and zoning report to the City Council. Copies of the reports are available by request through Ivins City Hall. He reported that the City held a hearing on short-term rentals, and it's been a hot topic for many cities. They are difficult to regulate and track down. The City of Durango has allowed so many short-term rentals per block area and other cities say absolutely not unless it is in an approved subdivision. We have Encanto where they may be allowed in there. Some applications may be coming, owners that own vacant lots in the old township that may come in for zone changes and Land Use changes from single family to multi-family.

**Mayor Hart** stated regarding short-term rental info, he attended a meeting at Dixie State with Mayors and representatives of cities all over the state. It was a large subject of debate at the Legislature this past legislative session. Many agreed that the legislature is doing what the Federal government often does, taking a "one size fits all" approach. He's representing Ivins and participating on a committee that is working with the ULCT to work on an ordinance and then take that to the legislature next year. **Kevin Rudd** stated it is very time consuming to enforce violations and to gather the evidence.

**Chuck Gillette** reported on the Sewer Master Plan and stated they are making progress on that project; we are also close to having a draft report ready for irrigation. Regarding Storm Drains, he stated that now that the bond is in place the City is sending out advertising for Engineers and have issued a Notice for an RFP (request for proposals) available. They are making progress on the tank in the Taviawk area. They advertised for a contractors' pre-qualification application. He hopes to select the contractor by June and then possibly be ready for construction in the winter. He reported on the recent slurry project. There was a considerable amount of problems with slurry seal this year. There were two different types of slurries in the contract this year. Type 2 turned out really well. Type 1 did not turn out too well because of the rough mat experience. It is possible we may take a discount on that product. They have told us they are not going to replace it, but we have asked the project manager in Northern Utah to come look at the project and determine if they're going to stand behind their product or discount Ivins' payment. Mayor Hart inquired if it seems to get better over time. Chuck Gillette stated yes that's possible. **Council Member Roberts** inquired about labor analysis has more hours on the analysis than the water system. He inquired if there is a way to break that down. **Chuck Gillette** stated the reason why it was really high is because they repaired three irrigation water leaks that Ivins' gets reimbursed for. He could break out irrigation repairs as a separate item. **Council Member Densley** inquired what the proper protocol is for fixing the breaks. Some citizens called and complained and stated they were fixing them themselves. **Chuck Gillette** stated there is an agreement with the irrigation company to fix the leaks but we are not authorized to do that until we get the Company President's approval to do that. **Council Member Densley** referred to one leak in particular. **Chuck Gillette** stated that leak wasn't even on the irrigation main system and it was on the person's own private line. He couldn't fix it because the irrigation valve that comes off that line wouldn't close. We did provide him with some assistance. **Council Member Roberts** inquired whether most private lines have a valve. **Chuck Gillette** stated yes they do but his break was on the other side of his valve. **Council Member Densley** inquired if there is a check valve to be sure there is no contamination. **Chuck Gillette** stated that is an irrigation water line and they're not supposed to be interconnected at all. If they are, that is against the law.

**Chuck Gillette** stated that regarding the Highway 91 project since the bids came in low, they have enough funds to do more on the project and they issued a change order and it may not be completed now until August because of those changes.

**Mayor Hart** introduced Mrs. Ivins, Brittany Hollingshead. She explained that in the Mrs. Utah America system, the Director selects someone from each City and she was the only one in Ivins. She has the Skin Institute as a sponsor, as well as friends and family from the Dysautonomia community. Her platform is Dysautonomia Awareness, which is often misdiagnosed as post-partum; a mental issue; anxiety; depression; eating disorders, etc. She vowed that when she got stronger she would raise awareness in Utah; empower women; and educate our youth. **Mayor Hart** stated that Alena Eves also has this disease and has battled diabetes since she was 2 years old. He stated that we have the opportunity as a City and on a future agenda item to entertain the idea of declaring a day or week in the year specifically on behalf of this disease. Mrs. Ivins stated that October is declared Dysautonomia Awareness month. The City of St. George issued a proclamation last October. If anyone knows someone with these symptoms, there is a group on Facebook named Defeating Dysautonomia. **Council Member Johnson** inquired if it was an autoimmune disorder? Mrs. Ivins stated that they are still researching and that it could be, but they don't have enough funds to research. It may be hereditary, but she pinpointed hers to a physical trauma in 2005.

D. [Planning Commission Report](#)

**Lance Anderson** stated that they discussed Shadow Canyons Preliminary Plan. Their plan had expired so they are redoing that, and there were some drainage issues that Chuck Gillette discussed and they were happy with those suggestions. There were two items for RVU. One was for the approval of the buildings and one was for the special height exception. **Dale Coulam** stated that there was also the solar issue and that the Planning Commission's recommendation is to not do anything. They believed it should be up to the majority of owners who live there to decide how their community looks. The statute talked about "reasonable standards" and if an ordinance was adopted, the city would have to define what is reasonable; that is something a homeowner or HOA should decide. **Lance Anderson** stated that the City doesn't interpret CC&Rs. The Planning Commission cancelled their May 31st meeting since there would not be enough members to have a quorum.

**3)CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS.**

**4) [PUBLIC HEARING AND ACTION ITEMS](#)**

A. [Public Hearing to receive comment and consider adoption of the Budgets for the:](#)

1. General Fund
2. Debt Service Fund
3. Municipal Building Authority Fund
4. Special Revenue Funds
  - a. Public Safety
  - b. Streets
  - c. Parks
5. Capital Projects Fund
6. Water Fund
7. Sewer Fund
8. Storm Drain Fund

**Wally Ritchie** referred to the monthly budget report and discussed the potential of refunding our sales tax bond. It has a variable interest rate that just reset so our payments went up. We have talked to our bond council and financial advisor and there is about \$12,000 in savings a year over the next 14 years also locks in an interest rate. One year ago the City passed a parameters resolution for a sales tax bond. The parameters were 3.1 million dollars; an interest rate not to exceed 5%; not to exceed 15 years. That parameters resolution is still in effect and applies to this bond so we don't have to go through the expense of doing a resolution, advertising, etc. However, if you would like us to bring this back with these parameters and do a full new resolution. **Council Member Densley** inquired what **Wally Ritchie** would suggest. **Wally Ritchie** stated that we already have a Resolution in place and that we should proceed. **Dale Coulam** agreed with **Wally Ritchie** and confirmed with bond council that the City can proceed with the Resolution that is already in place, even though these are 2016 bonds. The City Council gave **Wally Ritchie** direction to proceed. **Council Member Mehr** inquired if the preceding resolution passed unanimously. **Dale Coulam** stated yes, there was no opposition. **Mayor Hart** stated that they may proceed with the current resolution. **Wally Ritchie** referred to the Budget for the Public Hearing and provided a PowerPoint presentation. A copy of the presentation is available by request through Ivins City Hall. The budget is a balanced budget. **Wally Ritchie** stated that the City uses very conservative revenue estimates and gets great input and collaboration from our department directors. **Council Member Roberts** inquired on whether the estimates to complete 2016 Budget were appropriate? **Wally Ritchie** stated he won't know until the end of June but he thinks they are fairly close. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

B. [Discussion regarding the above Budgets](#)

**Mayor Hart** clarified this is a continued discussion on the Budget. **Council Member Mehr** inquired about the cemetery capital improvement project for \$30,000. **Wally Ritchie** stated that is for fencing, the sign, and improving the road. **Council Member Mehr** inquired if there was any opportunity to hide the Public Works mess in that area? **Mayor Hart** stated some additional berming and dragging some of the big noticeable things down the hill and out of the sight line would help. **Wally Ritchie** stated that can be done through Staff without any budgetary impact. **Council Member Roberts** inquired about the cemetery build out. **Chuck Gillette** stated based on his recollection he thinks approximately 30% because we have room to move east and in 4 years or so, maybe looking at moving the Public Works building to another location. **Council Member Densley** inquired if there was any way to get the flag poles working? **Chuck Gillette** stated he will pass that along. **Council Member Mehr** commented his appreciation to **Wally Ritchie** and the team and to the work they've done with the budget. He referred to the summary page and stated that it was important to note the work that's gone into this. The budget is balanced, there's no property tax increases and services are being maintained. **Mayor Hart** stated that is due to being a well-run city by conscientious employees. **Wally Ritchie** stated when we do the final budget at the next meeting for adoption, we will provide updated budget sheets to the Council. **Mayor Hart** stated he has noticed and it is evident that there is a systematic improvement of the presentation of the budget over the past several years and it is more clear to the residents. **Dale Coulam** stated one of the primary focuses and objectives has been and continues to be making public financial information as public and transparent as possible.

C. [Public Hearing to consider adoption of the Storm Drain Rate Study](#)

**Chuck Gillette** provided a PowerPoint presentation to the Mayor and City Council. A copy of the presentation is available by request through Ivins City Hall. It is the same presentation as the last City Council meeting (see the minutes from the last meeting and copy). **Council Member Mehr** inquired if Council adopts the rate study and is effective immediately, when would the rates go up? **Dale Coulam** stated it would be reflected on billing. **Wally Ritchie** stated that he would recommend the July billing so we can notify people and change the system before the new fiscal year. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

D. [Discuss and consider approval of Resolution No. 2016-12R, a Resolution of Ivins City, Utah, adopting the Ivins City Storm Drain Rate Study](#)

**Council Member Densley** stated that he thinks this will improve the ratings and that Ivins being ahead of the curve and moving forward is a good thing.

**MOTION: Council Member Densley moved to approve Resolution No. 2016-12R, a Resolution of Ivins City, Utah, adopting the Ivins City Storm Drain Rate Study.**

**SECOND: Council Member McDonald**

**VOTE: The motion carried.**

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

Roll call vote. All Council Members voted in favor.

## 5) DISCUSSION AND POTENTIAL ACTION ITEMS

A. [Discuss and consider approval of the Planning Commission's recommendation regarding a special height exception for the student housing at Rocky Vista University, located on the north side of Center Street from approximately 300-400 East](#)

**Dale Coulam** stated that each student housing building is 35' tall. The mechanical equipment is going to be centered on top of the buildings and they have proposed screening for those to break up the sight line and the roofline. It actually adds an architectural feature. The height exception is to allow for the mechanical equipment and the screening parapet, which is required to go 6" above the equipment. They are well below the view angle, and most of the surrounding property belongs to them.

**Council Member Roberts** inquired if the rooms are self-contained or if there is a cafeteria area? **Kevin Rudd** stated they are dormitory-sized rooms and each unit has its own kitchen area and bathroom and there is a laundry area. **Council Member Densley** inquired how many units total? **Kevin Rudd** stated in the 3 buildings there is a total of 129 units. The smaller dorms are about 378 sq ft. There are a few 2 bedroom units that are on the ends and are approximately 900 sq ft. The clubhouse is part of this phase. It will have an exercise room and single story architecture. **Council Member Densley** inquired if the roundabout on 400 East was going to go in. **Kevin Rudd** stated eventually it will be built. **Dale Coulam** clarified that we will be dedicating the ROW for 400 E., including ROW for the future roundabout. Staff and the Planning Commission recommended approval of the height exception.

**MOTION: Council Member Mehr moved to approve the Planning Commission's recommendation regarding a special height exception for the student housing at Rocky Vista University, located on the north side of Center Street from approximately 300-400**

East

**SECOND: Council Member Densley**

**VOTE: The motion carried.**

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE

**Council Member McDonald** was excused at 7:05 p.m.

B. [Discuss updating newsletter format](#)

**Mayor Hart** referred to **Council Member Johnson** who attended a seminar. She heard from Provo City and some of the things they've been doing as well as other communities in the area to try to encourage citizens to read the newsletter. A lot of times the residents aren't reading it because it becomes mundane. **Council Member Densley** stated that he brought this up last time and thinks the idea of the animal shelter and the two entities alternating months and suggested possibly providing a photo and explain what's happening. **Mayor Hart** stated with the transition to an electronic format, we could do that. **Wally Ritchie** stated we have two different options: a separate webpage for the newsletter from the website, or the newsletter that is linked from the website. We will not mail out with the water bill anymore, but we will have a version attached to the bill. If we print, we lose the look and it prints differently. The print version is very costly; mailing, printing, folding, stuffing; it all adds up. **Council Member Roberts** inquired which version is more labor intensive? **Wally Ritchie** stated it's about the same. **Council Member Densley** inquired if we could include what's being played at Tuacahn. **Dale Coulam** stated a link could be added to the website or newsletter. **Council Member Johnson** stated the concern she has with the two different types, is the newsletter printing differently than shown. She would say go with the style that prints out as a newsletter that is easier to read. **Wally Ritchie** stated for the ease of residents and the emailed version, he agreed that was a better option. **Dale Coulam** inquired if we go with the more traditional format is there a preference among the Council to have the animal support groups alternate months? City Council agreed for them to alternate and agreed that the Pet Corner should come after the Parks and Recreation information. There was continued discussion regarding advertising in the newsletter and whether it is competing against private entities. **Council Member Densley** stated they could put it on the webpage and not the newsletter to save printing. **Council Member Johnson** stated it would be beneficial to the community to add a quarterly article that talks about some of the history of Ivins and have the historical society provide a blurb on that. Also choose a citizen or a group in the community to acknowledge every month for things they do for the City and give them recognition. A spotlight or a high-five. City Council agreed with the PDF version of the newsletter that can be easily printed.

**6) [CONSENT AGENDA](#)**

- A. Approval of expenditure and award to Zion's Public Finance to update the Public Safety Master Plan, Impact Fee Facilities Plan and Impact Fee Analysis
- B. Approval of City Council Meeting Minutes for May 5, 2016

**MOTION: Council Member Johnson moved to approve the Consent Agenda**

**SECOND: Council Member Roberts**

**VOTE: The motion carried.**

Council Member Mehr	AYE
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Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE
Council Member McDonald	ABSENT

**7) CONSENT AGENDA ITEMS FOR DISCUSSION**

**8) REPORTS**

A. Council

**Council Member Roberts** reported he attended the Washington County Mosquito Abatement board meeting and they've had a few problems with vandalism being reported with the mosquito traps. We will put in the newsletter to educate the public on what the traps look like. They discussed irrigation practices. **Council Member Mehr** stated that on June 2nd he may not be in attendance for City Council meeting. No other reports.

B. Mayor

**Mayor Hart** reported he is asked to be involved in a variety of regional planning entities and attend meetings regarding policy and concerns. There are some significant ones. Short-term rentals are an important issue state wide. Mayors had a meeting with Terry Kane, the Hospital Administrator with IHC regarding project underway. The cancer facility has gained considerable notoriety in precision genomics, they are working with oncologists across the country and around the world who send in biopsy samples and are analyzed here in St. George. A consider amount of the suffering and costs that people go through may be reduced. Currently the FDA has approved this for stage 4 cancer patients only. Regarding the transportation meeting he attended, there will be a number of projects beginning this summer; including Bluff Street and St. George Boulevard. I-15 between St. George Boulevard and the Washington exit as well as an underpass near Mall Drive. UDOT has a great deal of their resources being used here in Southern Utah. He serves on the oversight board for the Veterans' Home and on the .09 acre parcel north of the Veterans Home the legislature has funded \$177,000 for a Veterans' memorial park/serenity garden idea. He was invited to attend a meeting at the Washington County Commission Chambers regarding inter-generational poverty. It will be a fairly significant movement and trying to figure out ways of interrupting this that tends to go generation to generation. Switch Point is a model that has been done statewide. We will hear a lot more about that in the future.

C. City Manager/Attorney Dale Coulam

D. Items to be placed on future agendas

**9) CLOSED MEETING**

**10) ADJOURNMENT**

**MOTION: Council Member Mehr moved to adjourn**

**SECOND: Council Member Johnson**

**VOTE: The motion carried.**

Council Member Mehr	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	AYE
Council Member McDonald	ABSENT

The meeting adjourned at 7:44 p.m.

Respectfully,

\*Kari Jimenez, MMC

City Recorder

\*City Recorder Kari Jimenez was in attendance at this meeting. Deputy City Recorder Sharon Allen prepared these Minutes.